DEPARTMENT OF JUSTICE

ACCOUNTABILITY REPORT FOR THE FISCAL YEAR

2000/2001

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ACCOUNTABILITY STATEMENT

The accountability report of the Department of Justice for the year ended March 31, 2001 is prepared pursuant to the *Financial Measures Act* (2000). The Act requires the reporting of outcomes against department/agency business plan information for the fiscal year. The reporting of department/agency outcomes necessarily includes estimates, judgements and opinions by department/agency management.

We acknowledge that this accountability report is the responsibility of the Department of Justice management. The report represents, to the extent possible, a complete and accurate representation of outcomes relative to the goals and priorities set out in the Department business plan for the year.

Michael G. Baker, Q.C.
Minister of Justice

Douglas J. Keefe, Q.C.
Deputy Minister of Justice

MESSAGE FROM THE MINISTER

Every successful organization knows the importance of sound business planning, of goal setting, and the value of evaluating progress. That is what this report is all about.

Through the framework provided in the *Financial Measures Act*, we are providing taxpayers with a report on progress made in achieving our business goals. It is an important part of public accountability.

The outcomes you will see in this report are based on the priorities and goals set in the department's business plan for 2000-01. We will also focus on some of the highlights and major accomplishments achieved during the year.

We're proud of what we have achieved during the past year. We know we have much work to do. Rest assured, we will continue to be accessible–and accountable–to you as we face the challenges and opportunities in the months ahead.

Michael G. Baker, Q.C.
Minister of Justice

DEPARTMENTAL ACCOMPLISHMENTS

Goal 1: Improve public safety and security

Implement a comprehensive and effective crime prevention strategy in cooperation with police, community organizations, schools and the public and corporate sectors.

We have been working in partnership with the federal government in implementing the Community Mobilization Program. It is part of the National Strategy on Crime Prevention which will invest $3.5 million in crime prevention projects over a five year period. In 2000-01, $643,000 was provided to 30 projects. To date, 130 projects have been funded for a total investment of $2.7 million in communities across the Province.

With assistance from the Department, the Crime Prevention Society of Nova Scotia has been re-established; bringing together law enforcement, government agencies and community representatives from across the Province. The Society, through its broad community-government partnership, will promote crime prevention initiatives at the provincial and local levels.

Deliver critical training to police officers and establish a comprehensive audit policy to ensure compliance with provincial policing standards so that we may enhance the safety and security of our communities and the quality of police investigations.

A Provincial Standards and Training Advisory Committee, with representatives from the Nova Scotia Chiefs of Police Association, other law enforcement agencies and the Department of Justice, has been established to advise on training requirements and operating procedures for law enforcement agencies across the Province. Acting on the Committee's advice, more than 500 law enforcement personnel have received training on subjects ranging from *Firearms Act* Enforcement Training to Specialized Site Containment Team Training, as well as annual mandatory Officer Safety Training. The Committee has also provided significant input into the development of over 20 provincial policing standards. An audit plan was developed by the Department and a self-audit workshop for police was held. A municipal training package is being prepared for delivery in 2001-02.

Develop a comprehensive strategy for the delivery of police services that will respond to the changing needs of our communities:

Every Nova Scotian should receive an adequate and effective level of police service, regardless of their area of residence - and the costs of these services should be shared equitably. To ensure policing services are delivered and cost-shared equitably, a proposal for police service

delivery (White Paper on Policing) was circulated for discussion to municipal units and other government departments. The White Paper consultation process has been very effective, in that 15 of 18 identified issues have been resolved..

Develop effective early intervention strategies targeted to youth at risk, in cooperation with the departments of Health, Community Services and Education, the Sport and Recreation Commission and the Youth Secretariat.

The Child and Youth Action Committee, of which the Department of Justice is a member, has a mandate to achieve better outcomes for children and youth in Nova Scotia through an interdepartmental approach to coordinated policy development and comprehensive service delivery. The Department, under the auspices of CAYAC, conducted consultations throughout the Province to determine how best to respond to children under 12 who commit offences. In 2000-01, CAYAC commissioned a feasibility study for an integrated assessment and treatment service for conduct disorder/antisocial youth in Nova Scotia. CAYAC negotiated memoranda of understanding with four regional CAYAC committees to promote an integrated approach throughout the Province. CAYAC undertook to develop a report on the well-being of Nova Scotia's children and youth, in order that progress can be monitored over time. The Department also worked in consultation with CAYAC to prepare for the introduction of the new federal youth justice legislation.

Implement a program to educate seniors on how to effectively deal with situations where they consider their safety is at risk.

We developed a valuable teaching tool for police officers to use in the community through a video which provides tips on personal and home safety. A segment is targeted specifically at seniors and their unique safety concerns.

Prepare legislation that provides for the forfeiture of "johns" vehicles in prostitution-related offences.

Legislation was brought forward in the spring and fall 2000 sessions of the Legislature and again in the spring of 2001.

Goal 2: Provide effective dispute resolution mechanisms

Continue to put children first with the further development and expansion of the Family

Division of the Supreme Court:

The Supreme Court (Family Division), which combines federal and provincial jurisdiction over family matters, was introduced in the Halifax Regional Municipality and on Cape Breton Island in April 1999. A formal evaluation of the Family Division was initiated in 2000-01, and reports are complete on mediation services and the Parent Education Program, with the report on Conciliation expected in early 2001-02. The Supervised Access Program of the Family Division is being offered in one location; it will be extended to other locations during the next fiscal year. Printed materials for the Court Assistance Program to assist self-represented litigants are complete and a video is expected to be launched in 2001-02.

Training for mediation, an integral part the Family Division, is delivered through a joint effort of Henson College , Dalhousie Law School and the Maritime School of Social Work. The policy and procedure manual and roster for mediation were completed and a series of training programs, including four in Sydney, were offered. A proposal to extend the Family Division to the rest of the province was submitted to the Federal Minister of Justice in October 2000. As of March, 2001 the Department was awaiting a response. (Subsequently, the Department received approval from the Federal Government to expand the Conciliation Service currently offered in the Family Division to another area of the province).

Continue to hold offenders accountable and give victims a voice as we further develop and implement our restorative justice program.

The Restorative Justice Program of the Department of Justice aims to create a justice process which holds offenders accountable in a more meaningful way; repairs harm caused by the offence; reintegrates the offender; and achieves a sense of healing for the victim and the community. The long-term goal is to provide an opportunity for offenders province-wide to participate in a restorative justice process. Implementation of the Program is multi-phased. Phase I was implemented in 1999-2000, targeting youth aged 12-17 in the Halifax Regional Municipality, Cape Breton Regional Municipality, Annapolis Valley and Cumberland County. Development of Phase II began in 2000-01 with training and community consultations in the remaining areas of the Province. The Program is expected to be operational for youth province-wide by the fall of 2001.

Improve fine collection and the enforcement of the fines:

The Court Services Division partnered with the Halifax Regional Municipality on an initiative to improve the processing of parking tickets. The Business and Consumer Services (now Service Nova Scotia and Municipal Relations) fine collection project has been evaluated and work is underway to consider the reports, recommendations and implement greater collection

capability. In particular, the desirability or processing federal and municipal fines was reviewed, along with many internal system improvements. Through this work it is expected that the courts will process 100,000 tickets a year.

Modernize and simplify procedures relating to the Probate Act:

The Probate Reform Project commenced in June 2000, led by a two-member team with nine sub-committees and an Advisory Committee. Regulations were developed in the winter of 2001, along with new forms and self-help kits. A training plan was developed and has commenced, along with communications with key stakeholders. Further training, and a new manual is nearly complete. Legislation has been passed and full implementation is scheduled for October 2001.

Focus on improved client service in the court system:

Staff in all field offices have placed a strong emphasis on improving client service. In June 2000, the Justice Human Resources CSU offered a customized seminar for Court Services employees on the topic of "Client Service". This was attended by more than 80% of Court Services staff. The seminar was later customized and delivered to Maintenance Enforcement Program staff and delivered in late 2000-01.

Prepare legislation that will require parents to make restitution to victims where the lack of proper parental supervision has caused a young person to commit a crime.

The Department is reviewing legislation that has been enacted in Manitoba and Ontario with recommendations expected in 2001-02..

Assist people in resolving conflict by extending the jurisdiction of Small Claims Court and by incorporating mediation services into the civil court process:

The jurisdiction of the Small Claims Court increased from $5,000 to $10,000 on April 1, 2000. The Court Services Division supported the joint effort of the Nova Scotia Barristers' Society and the Atlantic Provinces Arbitration and Mediation Institute to develop a pilot project for mediation in the Small Claims Court, and took part in consultations throughout 2000-2001. As well, the Division was involved in and supported another initiative by the Nova Scotia Barristers' Society to develop a civil mediation pilot project for matters in the Supreme Court of Nova Scotia.

Goal 3: Offer a coordinated response to victims of crime

Implement and evaluate the federal legislation affecting victims of crime and develop a plan of action that will place greater emphasis on the rights of victims of crime.

The expanded rights given to victims of crime as a result of Bill C 79: *Amendments to the Criminal Code (Victims of Crime)* have been successfully implemented in Nova Scotia. Processes are in place with Police, Prosecution, Courts and Victims' Services to ensure specific recognition of the role of victims of crime in the criminal justice process. Improvements include: added protection of vulnerable witnesses, particularly child witnesses; specific consideration of the safely of victims in bail release decisions; and greater opportunity afforded victims to have a voice in sentencing proceedings.

Ensure victims of home invasions are eligible for funds under the Criminal Injuries Compensation Program

Victims of home invasions often suffer trauma as a result of the crime. Through the Criminal Injuries Counselling Program, victims of home invasion are offered financial compensation for counselling to assist them to deal with the trauma that they have experienced.

Goal 4: Provide safe and secure custody and control and effective supervision of offenders

Construct a new adult correctional facility next to a new forensic hospital in the Metro area

The Central Nova Scotia Correctional Facility and the East Cost Forensic Psychiatry Hospital commenced construction in October, 1999. It is anticipated that the facility will be fully operational in the fall of 2001.

Examine a cost-recovery program for custody of impaired drivers

Research undertaken by the Department indicated that a cost-recovery program for impaired drivers would likely not survive a *Charter* challenge. Moreover, as cost-recovery would be restricted to variable costs, and not applicable to the fixed costs of operating correctional institutions, costs recovered would be minimal. On the basis of this analysis, the Department will not be proceeding with the program.

Reduce costs and increase fine payment revenues with the Fine Option Program.

Effective June 2000, offences under the provincial *Motor Vehicle Act* and driving offences under the *Criminal Code* were no longer eligible for the Fine Option Program, on the premise that people who can afford to drive can afford to pay fines arising from their driving. Not only

did this increase the fine revenues from these offences, the $40 per person fee paid to community agencies to administer the program was also eliminated, thereby reducing the Fine Option Program's expenditures. Also effective June 2000, persons were required to pay court costs and victim surcharges prior to being accepted for the Fine Option Program. Finally, administration of the program was centralized, through the use of a 800-line, thereby reducing the number of staff required to administer the program.

Work in partnership with the legal community, service organizations and other government departments to respond effectively to children under 12 who commit crimes.

The Department, under the auspices of the Children and Youth Action Committee, held a series of regional meetings with representatives from law enforcement, child welfare, the education and health systems to determine the dimensions of the problem and how best to respond, including the identification of 'best practices'. An action plan will be developed in 2001-02.

Develop a plan for the Implementation of the proposed federal Youth Criminal Justice Act:

Preparations for the proposed legislation continued in 2000-01. The Bill was delayed in Parliament and further delayed by the federal election. A five-year Youth Justice Cost-sharing Agreement was signed with the Federal Government to fund program changes required as a result of the new legislation. A Multi-disciplinary Committee was formed under the auspices of the Children and Youth Action Committee to ensure interdepartmental coordination in preparation for the new legislation.

Training regarding mediation and a new risk/needs instrument was funded from the federal Youth Justice Renewal Fund. A detailed design for information system modifications was completed. A committee was formed to consider amendments required to provincial legislation.

Goal 5: Promote the lawful administration of public affairs

Implement the new Juries Act to provide for greater representativeness and more efficient procedures for jury selection:

The new *Juries Act* and Regulations were proclaimed in June 2000. Introduction of the legislation was supported by a comprehensive communication plan to inform the public about the changes. A new software system was implemented, yielding great improvements and efficiencies.

Issue a privacy discussion paper for government and private sector-held personal information.

Following the passage of the federal legislation *Protection of Personal Information and Electronic Documents Act,* it was determined that a provincial discussion paper was no longer required.

Complete consultations on the Fatality Inquiries Act.

A consultation paper was circulated to all interested parties and in-person consultations held with the Chief Medical Examiner, judiciary, Public Prosecution Service and law enforcement officials. It is anticipated that legislation will be ready for consideration by Government in the fall of 2001.

HUMAN RESOURCES:

The Justice Human Resources CSU continued to support corporate HR initiatives, such as:

- participation in the negotiation of the Civil Service Master Collective Agreement
- implementation of the Bargaining Unit Classification Review
- preparation for the review of MCP positions, which is to commence in 2001-02

The HR Division has assisted the Correctional Services Division in preparation for the closing of four adult correctional centers and opening of the new Central NS Correctional Facility. The transition was managed successfully, resulting in no layoffs as all employees left voluntarily with the TSP offer or were transferred to other positions within the system. A new three-year collective agreement with Local 480 was negotiated.

The HR Division developed a Succession Management program to address the needs of the Department in attracting and retaining skilled employees. A pilot project will be implemented during the next fiscal year.

During the fiscal year, four modules were developed for delivery in support of the Government Performance Management Policy:

- Introduction to Performance Management for Bargaining Unit - for both staff and their managers. The new Bargaining Unit performance management form is being adopted across Justice.
- Introduction to Performance Management for MCP's - for staff and their managers
- Coaching and Feedback - for all managers of MCP staff and/or Bargaining Unit staff
- Dealing with Deficient Performance - for all managers of MCP staff and/or Bargaining Unit staff

Consultation and team development are ongoing in areas of performance management, team

building and coaching.
The first training and development calendar was released, with a total of 20 courses offered, including a training course to support the new corporate policy on Sexual Discrimination and No Discrimination.

Number of Training Sessions delivered:

▸	Compensation and Classification	1
▸	Payroll and Benefits	1
▸	Performance Management for Bargaining Unit	12
▸	Performance Management for MCP	5
▸	Myers- Briggs	6
▸	Career Planning	1
▸	Coping with Change	3
▸	Facilitating Meetings	1
▸	Team Building	1
▸	Conflict	1
▸	Client Service	17
▸	Résumé Writing and Interviews	1
▸	Priority Management	2

INFORMATION TECHNOLOGY:

The IT-CSU supports its client base in three primary service areas: infrastructure development and maintenance, production support and business delivery.

The anticipated changes in Canada's youth justice legislation will have a major impact on the Department's information systems. This was a major program focus in 2000-01 and will continue over the next twenty four months.

The implementation of a corporate, leading-edge database and development tool set (Oracle) continued to provide the IT section with an efficient, effective standard to develop, deploy and support new web-based solutions for clients.

With client direction and support, the IT section was able to develop or re-platform a number of applications in the new technical environment. This direction will continue. Additionally, application support resources experienced with the new tool set will continued to be developed and trained.

The implementation of a corporate document management system provided the IT section the

ability to offer a means of organizing and sharing documents electronically to the IT client base.

FINANCIAL RESULTS

Budget Variances (000's)	*Allocations*	*Actual*	*Variance*
Court Services	*$19,048*	*$18,415*	*($633)*

Fees collected for services provided by this division were under plan by $524,000. However, the division's expenditures were also under budget by $1,157 million as a result of sundry savings across the division. These variances resulted in a net under-expenditure of $633,000 in Court Services.

Correctional Services	*$20,639*	*$20,366*	*($273)*

Expenditures were under spent by $68,000 while sundry recoveries were over budget by $205,000, leaving a net under-expenditure of $273,000.

Police & Public Safety Services	*$18,860*	*$19,926*	*$1,066*

Expenditures were over budget by $164,000, representing an overage of .3%. However, sundry recoveries with respect to RCMP policing were under plan by $902,000, leaving this division with a net over-expenditure of $1.066 million.

Nova Scotia Legal Aid	*$8,380*	*$9,349*	*$969*

Nova Scotia legal Aid handled several large cases for which funding was not included in its budget but for which the Department of Justice provided supplementary funding. In addition, the department provided Legal Aid with additional funds to assist with the purchase of computer hardware and a new accounting/information system. Funds were transferred from the Administration budget to cover the additional funding for this program.

Office of the Chief Medical Examiner	*$1,108*	*$1,152*	*$44*

The over-expenditure is not significant and represents additional costs for forensic services. The department was able to cover the shortfall from our Administration budget.

Administration	*$14,258*	*$13,065*	*($1,193)*

Funds originally budgeted under this area were transferred to cover expenditures as noted above. In addition, the following divisions which form part of the Administration budget were under spent:

- Finance CSU
- Policy, Planning & Research

- Legal Services			
Department of Justice	***$82,293***	***$82,273***	***($20)***